

# United States District Court

SOUTHERN

DISTRICT OF

NEW YORK

Phyllis Stanton

## SUMMONS IN A CIVIL CASE

v.

08 CIV 4085  
CASE NUMBER:

Merck & Co., Inc.

TO: (Name and address of defendant)

Merck & Co., Inc.  
One Merck Drive  
Whitehouse Station, New Jersey 08889-0100

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Beatie and Osborn LLP  
521 Fifth Avenue, 34th Floor  
New York, New York 10175

an answer to the complaint which is herewith served upon you, within twenty days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

**J. MICHAEL McMAHON**

MAY 01 2008

CLERK

DATE

  
(BY) DEPUTY CLERK

AO 440 (Rev. 10/93) Summons in a Civil Action

**RETURN OF SERVICE**

SERVICE OF: **SUMMONS IN A CIVIL CASE, COMPLAINT**  
 EFFECTED (1) BY ME: **JOSE ALARCON**  
 TITLE: **PROCESS SERVER**

DATE: **05/09/2008 03:11PM**

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

☐ Served personally upon the defendant:

MERCK & CO., INC.

Place where served:

ONE MERCK DRIVE WHITE HOUSE STATION NJ 08889

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:

JOAN DEARBORN

Relationship to defendant: MANAGING AGENT

Description of person accepting service:

SEX: F AGE: 51-65 HEIGHT: 5'4"-5'8" WEIGHT: 131-160 LBS. SKIN: WHITE HAIR: BLACK OTHER: \_\_\_\_\_

☒ To the best of my knowledge, said person was not engaged in the U.S. Military at the time of service

**STATEMENT OF SERVER**

TRAVEL \$ \_\_\_\_\_

SERVICES \$ \_\_\_\_\_

TOTAL \$ \_\_\_\_\_

**DECLARATION OF SERVER**

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service and Statement of Server is true and correct.

DATE: 05/09/2008

Jose Alarcon L.S.  
 SIGNATURE OF JOSE ALARCON  
 GUARANTEED/SUBPOENA SERVICE, INC.  
 2009 MORRIS AVENUE  
 UNION, NJ 07083

05-09-08  
J. S. Velez  
 JANIRA SANTIAGO VELEZ  
 NOTARY PUBLIC OF NEW JERSEY  
 My Commission Expires April 24, 2012

ATTORNEY: RUSSEL H. BEATIE, ESQ  
 PLAINTIFF: PHYLLIS STANTON  
 DEFENDANT: MERCK & CO., INC.  
 VENUE: NYDISTRICT  
 DOCKET: 08 CV 4085

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

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